

**REMARKS**

Claims 1, 3-12 are pending in the present application. Claims 1 and 3-12 are herein amended. Claim 2 is herein canceled. No new matter has been presented.

**Rejections under 35 USC §102(b)**

**Claims 1-4, 6-8, and 10-12 were rejected under 35 U.S.C. 102(b) as being anticipated by Saito et al. (U.S. Patent Application Publication 2002/0088767).**

The Examiner alleged as follows:

Regarding Claims 1 and 4, Saito et al., hereafter "Saito," show that it is known to carry out a method using a device for manufacturing a synthetic resin container (Abstract; [0002]), comprising the steps of forming a preform by performing compression molding to a drop which is synthetic resin molten lump with a compression molding machine ([0078], [0087-0088]), and performing continuously stretch blow molding to the preform with a stretch blow molding machine ([0156-0163]), and all the associated equipment necessary for the above steps ([0078], [0087-0088], [0156-0163]).

Regarding Claim 2, Saito shows the process as claimed as discussed in the rejection of Claim 1 above, including a method comprising the steps of discharging the preform maintaining the heat conferred at the time of molding from the compression molding machine, and performing an even-heating treating of the preform, and then stretch blow molding ([0160]).

(Office Action, page 2, lines 11-22).

Claim 1 has been amended to recite "performing an even-heating treatment of the preform discharged from the compression molding machine while the preform maintains the heat conferred during compression molding, thereby obtaining an evenly-heated preform; and

performing stretch blow molding on the evenly-heated preform with a stretch blow molding machine,” incorporating the recitations of claim 2 into claim 1.

Although the Examiner cites paragraph [0160] of Saito et al., the paragraph describes about the preheating of preform as follows:

[0160] Prior to effecting the stretch-blow-molding, as required, the preform is pre-heated up to a temperature suited for the drawing by such means as the hot air, infrared-ray heater or high-frequency induction heating. In the case of the polyester, the temperature range is from 85 to 120°C. and, particularly, from 95 to 110°C.

(Saito et al., paragraph [0160]). Thus, the preheating has nothing to do with the preform discharged from the compression molding machine while the preform maintains the heat conferred during compression molding.

Thus, in Saito et al., the compression molding and the stretch blow molding are separately described. There is no reason for a person of ordinary skill in the art to perform an even-heating treatment on the preform discharged from the compression molding machine while the preform maintains the heat conferred during compression molding, thereby obtaining an evenly-heated preform and to perform a stretch blow molding on the evenly-heated preform with a stretch blow molding machine.

For at least these reasons, claim 1, as amended, patentably distinguishes over Saito et al. Claims 3, and 10-12, depending from claim 1, also patentably distinguish over Saito et al. for at least the same reasons.

Claim 4 is also amended to recite “a preform discharger to discharge the preform from the compression molding machine and to carry to the even-heating device.”

There is no reason for a person of ordinary skill in the art to modify the Saito et al.'s teaching into a device for manufacturing a synthetic resin container including "a preform discharger to discharge the preform from the compression molding machine and to carry to the even-heating device."

For at least these reasons, claim 4, as amended, patentably distinguishes over Saito et al. Claims 4 and 6-8, depending from claim 4, also patentably distinguish over Saito et al. for at least the same reasons.

#### **Rejections under 35 USC §103(a)**

**Claims 5 and 9 were rejected under 35 U.S.C. 103(a) as being obvious over Saito.**

Claim 5 depends from claim 4, which patentably distinguishes over Saito et al. Therefore, claim 5 also patentably distinguishes over Saito et al. for at least the same reasons.

Claim 9 depends from claim 1, which patentably distinguishes over Saito et al. Therefore, claim 9 also patentably distinguishes over Saito et al. for at least the same reasons.

#### **Double Patenting Rejections**

**Claims 4, 7, and 11 were rejected on the ground of nonstatutory obviousness-type double patenting as being obvious over claims 1 and 5-7 of U.S. Patent No. 6,716,386.**

Saito et al., is the publication of the application from which the '368 patent issued.

Therefore, the disclosure of Saito et al. is the same as U.S. Patent No. 6,716,386.

As discussed above, claims 4, 7, and 11 patentably distinguish over Saito et al. Therefore, the claims also patentably distinguish over U.S. Patent No. 6,716,386.

**Claims 4, 7, and 11 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being obvious over claims 1-5 and 9-11 of copending Application No. 10/564,445.**

Application No. 10/564,445 discloses a method and a device for forcibly inserting a drop of a molding material into a concave of a molding female die in a compression molding machine. Application No. 10/564,445 does not teach or suggest the device for manufacturing a synthetic resin container as recited in claims 4, 7 and 11 as amended.

For at least these reasons claims 4, 7 and 11 patentably distinguish over Application No. 10/564,445.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

Application No. 10/576,148  
Art Unit: 1791

Amendment under 37 C.F.R. §1.111  
Attorney Docket No. 062410

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,  
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